

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 4:23-cv-10014-GAYLES/TORRES

CATHERINE WHITNEY,

Plaintiff/Counter-Defendant,

v.

**DOCTORS SPA AT DUVAL SQUARE INC.
and ADRIENNE CURRAN, M.D.,**

Defendants/Counter-Plaintiffs.

ORDER

THIS CAUSE comes before the Court on Chief Magistrate Judge Edwin G. Torres’ Report and Recommendation on Defendants’ Motion to Enforce Settlement Agreement (the “Report”). [ECF No. 62]. On November 15, 2023, Defendants Adrienne Curran and Doctors Spa at Duval Square Inc. filed their Motion to Enforce FLSA Settlement (the “Motion”). [ECF No. 52]. Plaintiff then filed her Response, [ECF No. 55], to which Defendants filed their Reply, [ECF No. 57]. On November 16, 2023, the Court referred the Motion to Judge Torres pursuant to 28 U.S.C. § 636(b)(1)(B). [ECF No. 53]. On April 17, 2024, Judge Torres issued his Report recommending that the Court deny Defendants’ Motion. [ECF No. 62]. The parties have not objected to the Report.

A district court may accept, reject, or modify a magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1). Those portions of the report and recommendation to which objections are made are accorded *de novo* review, if those objections “pinpoint the specific findings that the party disagrees with.” *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); *see*

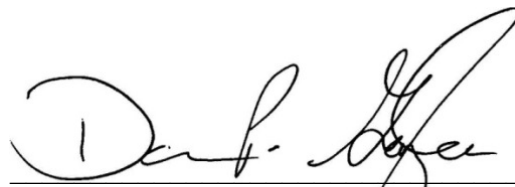
also Fed. R. Civ. P. 72(b)(3). Any portions of the report and recommendation to which *no* specific objections are made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); *accord Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006).

This Court finds no clear error with Judge Torres' well-reasoned analysis and agrees that the Motion should be denied.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Chief Magistrate Judge Edwin G. Torres' Report and Recommendation, [ECF No. 62], is **AFFIRMED AND ADOPTED** and incorporated into this Order by reference.
2. Defendants Adrienne Curran and Doctors Spa at Duval Square Inc.'s Motion to Enforce FLSA Settlement, [ECF No. 52], is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 7th day of May, 2024.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE